

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:	:	Chapter 11
	:	
VICTORY MEMORIAL HOSPITAL, <u>et al.</u> ,	:	Case Nos.: 06-44387-CEC
	:	06-44388-CEC
	:	06-44389-CEC
Debtors.	:	
	:	Jointly Administered as
-----X		06-44387-CEC

**ORDER GRANTING VICTORY MEMORIAL HOSPITAL’S MOTION FOR
APPROVAL OF THE LEASE AGREEMENT BETWEEN VICTORY MEMORIAL
HOSPITAL, INC. AND STATE UNIVERSITY OF NEW YORK FOR AND ON BEHALF
OF THE STATE UNIVERSITY OF NEW YORK – DOWNSTATE MEDICAL CENTER**

Upon the motion (the “Motion”) of Victory Memorial Hospital, Inc., debtor and debtor in possession (the “Debtor”), by its’ attorneys, DLA Piper US LLP (“DLA Piper”), for approval of the Lease Agreement between Victory Memorial Hospital and the State University of New York for and on behalf of the State University of New York – Downstate Medical Center (“SUNY Downstate”); a hearing on the Motion having been held on July 17, 2008, pursuant to the Order of this Court, dated July 3, 2008 (the “Hearing”); notice of the Motion having been duly served pursuant to the terms of the Order Shortening Time; Maimonides Medical Center having filed a Limited Objection (“Maimonides Limited Objection”) to the Motion dated July 14, 2008; the New York State Department of Health (“NYSDOH”) having filed a Response to the Motion dated July 15, 2008 (the “NYSDOH Response”); the Debtor having filed a Response to Maimonides Limited Objection and the NYSDOH’s Response dated July 16, 2008; counsel for the Debtor, the Official Committee of Unsecured Creditors (the “Committee”) and the respective parties in interest having appeared at the Hearing; counsel to the Debtor having informed the

Court that the Debtor has obtained the approval of HUD¹, DASNY and Dervaal to enter into the Lease; and upon review of the foregoing pleadings and the presentations of counsel at the Hearing; it appearing that good and sufficient cause exists and after due deliberation having been had;

IT IS NOW, upon the Motion of Victory Memorial Hospital:

ORDERED, that the Motion is granted to the extent set forth herein; and it is further

ORDERED, that the relief granted in this Order is subject to a fully executed Lease (substantially in the form of the Lease annexed to this Order as Exhibit A, subject to notice to the Committee, Dervaal, DASNY and HUD of any changes to the Lease) and the filing by Debtor's counsel with this Court of a Notice of Approval of the Lease from NYSDOH.

Dated: Brooklyn, New York
July 24, 2008

s/Carla E. Craig
HONORABLE CARLA E. CRAIG
CHIEF UNITED STATES BANKRUPTCY JUDGE

¹ Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion.